

Bill No. SB 1520

Barcode 221776

CHAMBER ACTION

Senate

House

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The Committee on Commerce and Consumer Services (Lynn)
recommended the following amendment:

Senate Amendment (with title amendment)

On page 20, lines 4-20, delete those lines

and insert:

Section 8. Subsections (1) and (3) of section 849.094,
Florida Statutes, are amended to read:

849.094 Game promotion in connection with sale of
consumer products or services.--

(1) As used in this section, the term:

(a) "Game promotion" means, but is not limited to, a
contest, game of chance, or gift enterprise, conducted within
or throughout the state and other states in connection with
the sale of consumer products or services, and in which the
elements of chance and prize are present. However, "game
promotion" shall not be construed to apply to bingo games
conducted pursuant to s. 849.0931.

(b) "Operator" means any person, firm, corporation, or
association on whose behalf a game promotion is conducted ~~or~~

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1 ~~agent or employee thereof who promotes, operates, or conducts~~
 2 ~~a game promotion, except any charitable nonprofit~~
 3 ~~organization.~~

4 (3) The operator of a game promotion in which the
 5 total announced value of the prizes offered is greater than
 6 \$5,000 shall file with the Department of Agriculture and
 7 Consumer Services a copy of the rules and regulations of the
 8 game promotion and a list of all prizes and prize categories
 9 offered at least 7 days before the commencement of the game
 10 promotion. Such rules and regulations may not thereafter be
 11 changed, modified, or altered. The operator of a game
 12 promotion shall conspicuously post the rules and regulations
 13 of such game promotion in each and every retail outlet or
 14 place where such game promotion may be played or participated
 15 in by the public and shall also publish the rules and
 16 regulations in all advertising copy used in connection
 17 therewith. However, such advertising copy need only include
 18 the material terms of the rules and regulations if the
 19 advertising copy includes a website address, a toll-free
 20 telephone number, or a mailing address where the full rules
 21 and regulations may be viewed, heard, or obtained for the full
 22 duration of the game promotion. Such disclosures must be
 23 legible. Radio and television announcements may indicate that
 24 the rules and regulations are available at retail outlets or
 25 from the operator of the promotion. A nonrefundable filing fee
 26 of \$100 shall accompany each filing and shall be used to pay
 27 the costs incurred in administering and enforcing the
 28 provisions of this section.

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 2, line 22, after the semicolon,

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5 insert:

6 providing requirements relating to disclosure

7 of the rules and regulations of a game

8 promotion;

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